

IN THE DRAWINGS:

Applicant is submitting herewith replacement formal drawings sheets 2, 3 and 4, including the following corrections:

At sheet 2, Figure 2: in the left wing, a curved divider line between the field area and the Don't Pass Bar is added; in the left and right wings, curved divider lines between the come and field areas are added.

At sheet 3, Figure 3: in the left wing, a curved divider line between the field area and the Don't Pass Bar is added; in the left and right wings, curved divider lines between the come and field areas are added.

At sheet 4, Figure 5: in the left wing, a curved divider line between the field area and the Don't Pass Bar is added; in the left and right wings, curved divider lines between the come and field areas are added.

REMARKS

The above identified Office Action has been reviewed, the applied reference carefully considered, and the Examiner's comments carefully weighed. In this regard, Claims 26 and 28-31 have been canceled without prejudice, and Claim 19 has been amended, wherein Claim 19 is now the only remaining base claim. The Drawing has been amended to fix several inadvertent errors.

In making the aforementioned amendments, Applicant has been mindful that he has submitted several preliminary amendments between the original filing date of the Application and the date of mailing of the Office action, wherein the present Amendment has amended the Application based upon a second preliminary amendment filed by Applicant on 08/23/2004. A summary of these preliminary amendments is as follows:

a first preliminary amendment, mailed by Applicant on 02/27/2004, amended the Cross-Reference and Specification, canceled Claims 1-18, amended Claims 19 and 20, and added new Claims 21-31;
a correction to the first preliminary amendment, mailed by Applicant on 04/06/2004, corrected the Cross-Reference; and
the above mentioned second preliminary amendment, mailed by Applicant on 08/23/2004, canceled Claim 27, and amended Claims 26 and 28 (wherein, it is upon this preliminary amendment that the present Amendment is based).

It is contended that by the present Amendment, all bases of rejection set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

Rejection under 35 U.S.C. 112

Ground for Rejection:

According to the Office Action, Claim 19 is rejected as being indefinite in that the “plurality of wager areas” require a clear structural relationship to other, previously recited structural elements.

Applicant’s Response:

Applicant has amended Claim 19 so that the plurality of wager areas has clear structural relationship to other structures recited.

In this regard, Claim 19 now recites: “... a Craps table lay-out ... comprising ... a proposition bet area located at a central portion of said Craps table lay-out; ... and a plurality of wager areas, ... said plurality of wager areas being all located adjacent said proposition bet area.”

Accordingly, in view of this amendment, wherein a clear structural relationship is now provided for the plurality of wager areas, Applicant respectfully requests the rejection under 35 U.S.C. 112 be withdrawn.

Rejection under 35 U.S.C. 102

Grounds for Rejection:

According to the Office Action, Claims 19-31 are rejected as being anticipated by Ornstein ‘431.

Applicant courteously submits that the rejection regarding Claims 26 and 28-31 is now moot in view of the cancellation of these claims.

In view of the present to base Claim 19, Applicant respectfully traverses the aforesaid ground for rejection under 35 U.S.C. 102(b) with respect to pending Claims 19-25 for the reasons set forth in detail below.

The test to be applied for purposes of determining the propriety of a rejection of the Claims under 35 U.S.C. 102 is set forth in RCA Corporation v. Digital Data Systems, Inc., 221 U.S.P.Q. 385, 388 (C.A.F.C. 1984), where the Court held:

"Anticipation is established only when a single prior art reference discloses, expressly or under principles of inherency, each and every claimed element of the claimed invention."

Applicant's amended base Claim 19 requires, inter alia:

"... a Craps table lay-out having a periphery, said Craps table lay-out comprising a pass line bet area, a point numbers area and a proposition bet area located at a central portion of said Craps table lay-out; said Craps table lay-out further comprising:

a plurality of mutually spaced player betting areas uniquely identified for the proposition bet, said plurality of player betting areas being located between generally said pass line bet area and said periphery of said Craps table layout, each player betting area of said plurality of player betting areas being respectively located at a player play position of said Craps table lay-out; and

a plurality of wager areas, each wager area of said plurality of wager areas corresponding to a respective player betting area of said plurality of player betting areas, said plurality of wager areas being all located adjacent said proposition bet area."

Applicant's Response:

Ornstein '431 discloses a plurality of betting areas, variously identified by numerals 75 (see Col. 5, line 63) and 76 (see Col. 6, line 10), each being placed "at each multiple player standing area 72." (See Col. 5, line 62-63.) This is as exemplified by Ornstein '431's Figure 5, shown below.

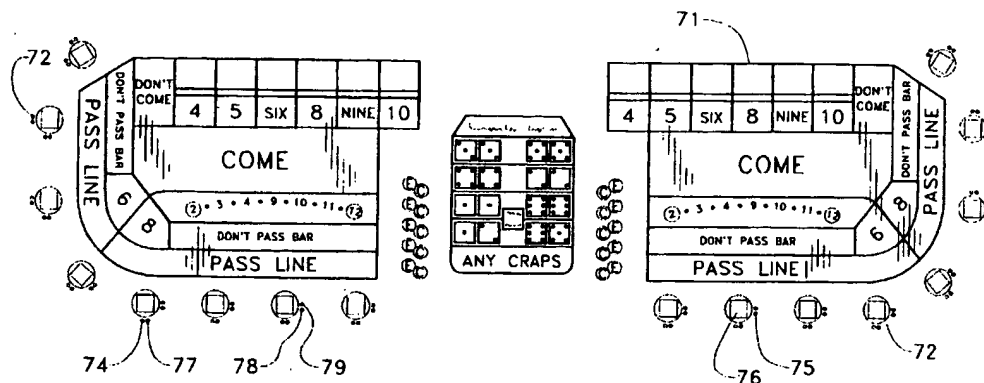


FIG 5

Even if we assume, for purposes of argument, that the plurality of betting areas (75, 76) of Ornstein '431, meet Applicant's plurality of betting areas, Ornstein '431 still does not disclose each and every element of Applicant's amended base Claim 19, to wit, the corresponding betting areas 116 and wagering areas 112 recited in amended base Claim 19 and exemplified by Applicant's Figure 2, shown below.

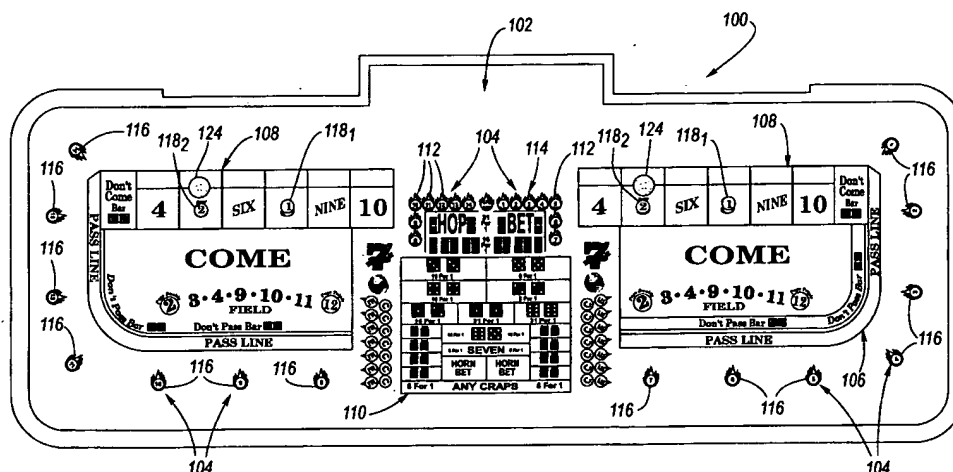


Fig. 2

Ornstein '431 fails to disclose: a) a plurality of wagering areas 112 which are all

located adjacent the proposition bet area 110, and b) a plurality of betting areas 116 at each player play position, as is required by Applicant's amended base Claim 19. Further, Ornstein '431 fails to disclose a counterpart wager area 112 for each betting area 116, as is also required by Applicant's amended base Claim 19. Accordingly, since Ornstein '431 fails to disclose every element of Applicant's amended base Claim 19, Ornstein '431 cannot anticipate the claim.

Therefore, in view of the present amendment and the foregoing remarks, Applicant respectfully requests the Examiner to withdraw the rejection under 35 U.S.C. 102 as regards amended base Claim 19, and, under the principle that dependent claims merely further define their respective base claims, that the rejection be withdrawn as regards Claims 20-25.

Information Disclosure Statement

According to the Office Action, the "Craps Table Layout" dated about 2/1994 was not been considered since the details of the layout could not be determined from the content and clarity of the copy of the reference provided; the "Craps Table Layout" dated 5/18/1999 (not 12/18/1999) and "Ask Mr. Craps" references were not been considered since no copies of these references could be found in the file; and the "Bonus Craps" reference could not be fully considered without a date provided.

Applicant has filed a divisional design patent, citing the art in the file, and presumes this is, at least in part, a reason that the above cited art is absent or illegible. Accordingly, herewith Applicant is providing a duplicate of "Ask Mr. Craps" and the "Craps Table Layout" dated 5/18/1999. A substitute "Craps Table Layout" dated about 2/1994 is also being submitted. As best known, "Bonus Craps" has a date earlier than the date of printing

indicated thereon (8/27/2004); however, an earliest copyright date of 1998 is indicated thereon, which, by presumption, may be taken as an earliest date. Also, the Form 1449 citing the Letter of David S. Schugar is not formally checked-off. Applicant is submitting a fresh Form 1449 with these references cited thereon to facilitate the Examiner checking these off.

The Drawings

Subsequent to the filing of the second preliminary amendment, Applicant noticed several informalities in the drawings, and is, therefore, submitting replacement sheets 2, 3 and 4 to correct these. These corrections are:

At sheet 2, Figure 2: in the left wing, a curved divider line between the field area and the Don't Pass Bar is added; in the left and right wings, curved divider lines between the come and field areas are added.

At sheet 3, Figure 3: in the left wing, a curved divider line between the field area and the Don't Pass Bar is added; in the left and right wings, curved divider lines between the come and field areas are added.

At sheet 4, Figure 5: in the left wing, a curved divider line between the field area and the Don't Pass Bar is added; in the left and right wings, curved divider lines between the come and field areas are added.

Each of these corrections is minor in nature, not affecting the claimed subject matter. Each correction finds antecedence from Figure 1, which shows that it is known in the art for the left and right wings to have symmetrically arranged curved divider lines between the field area and Don't Pass Bar, as well as between the come and field areas.

Conclusion

It is respectfully submitted that Applicant has responded in a fully satisfactory manner to all matters at issue in this Application, and that this Application is now in condition for allowance. In this regard, Applicant has made every effort to comply with the requirements set forth in the Office Action as well as the statutory requirements. Accordingly, Applicant respectfully requests that the Examiner enter this Amendment, allow the claims, and pass this Application on to issue.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter D. Keefe', written in a cursive style.

Peter D. Keefe
Reg. No. 31,114

Dated: 6/15/2005

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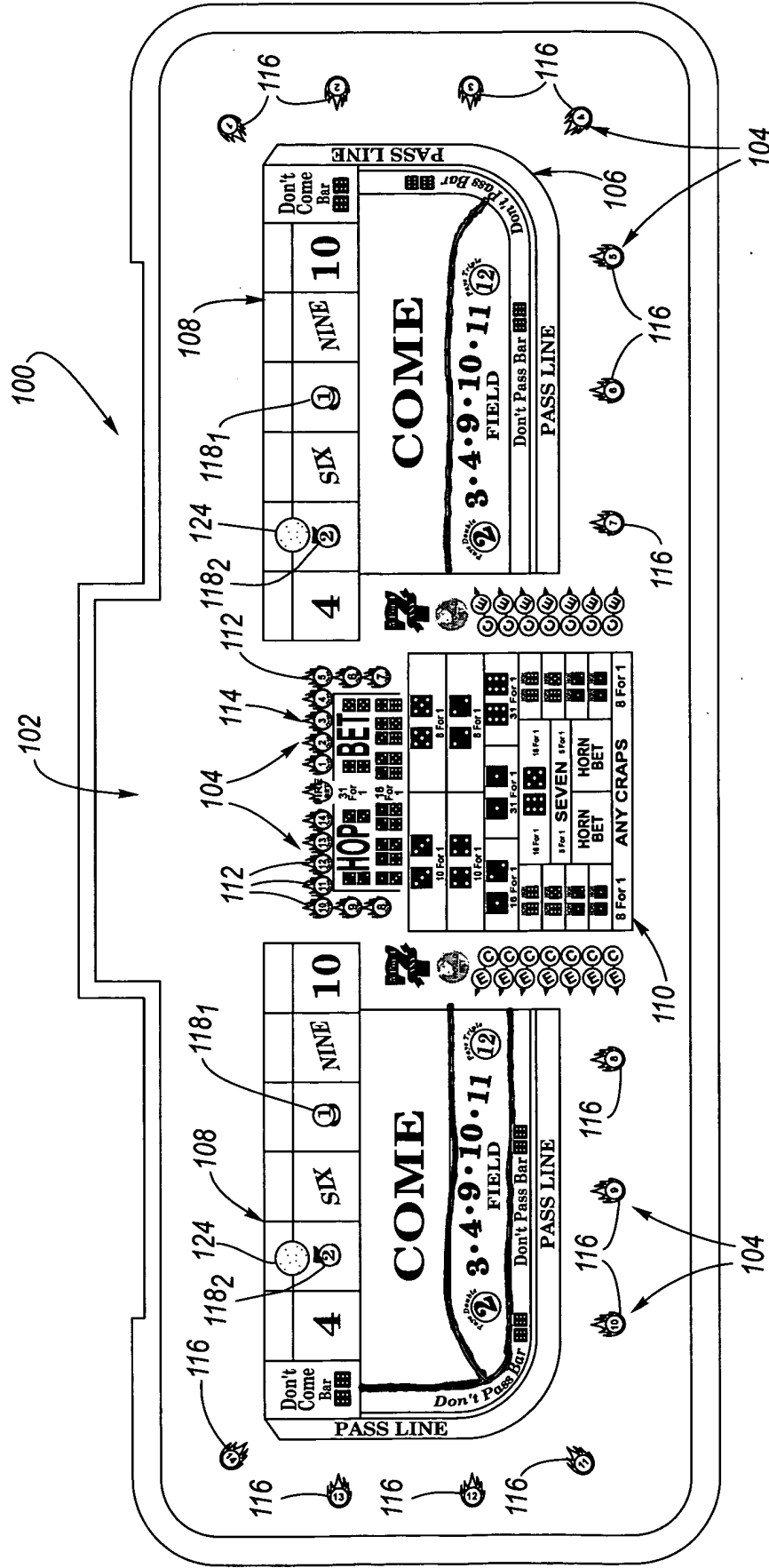


Fig. 2

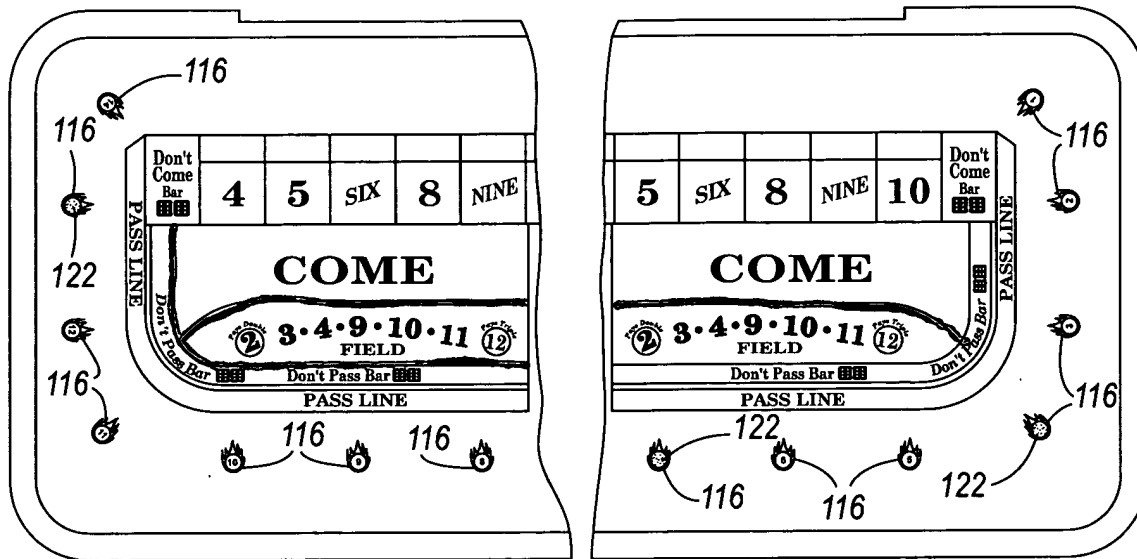


Fig. 3

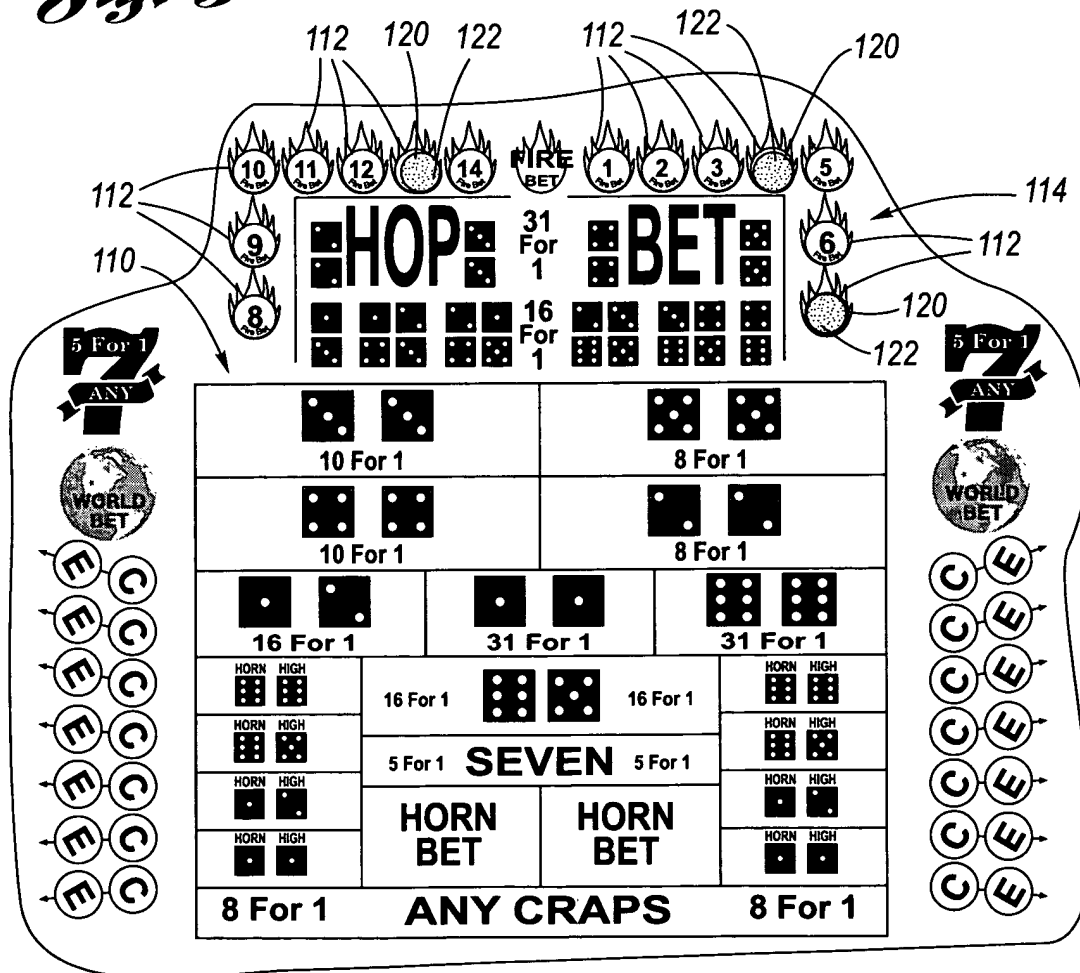


Fig. 4

Fig. 5

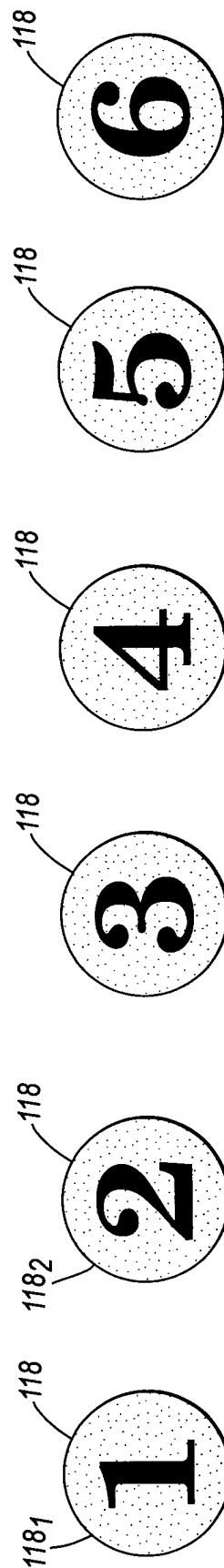
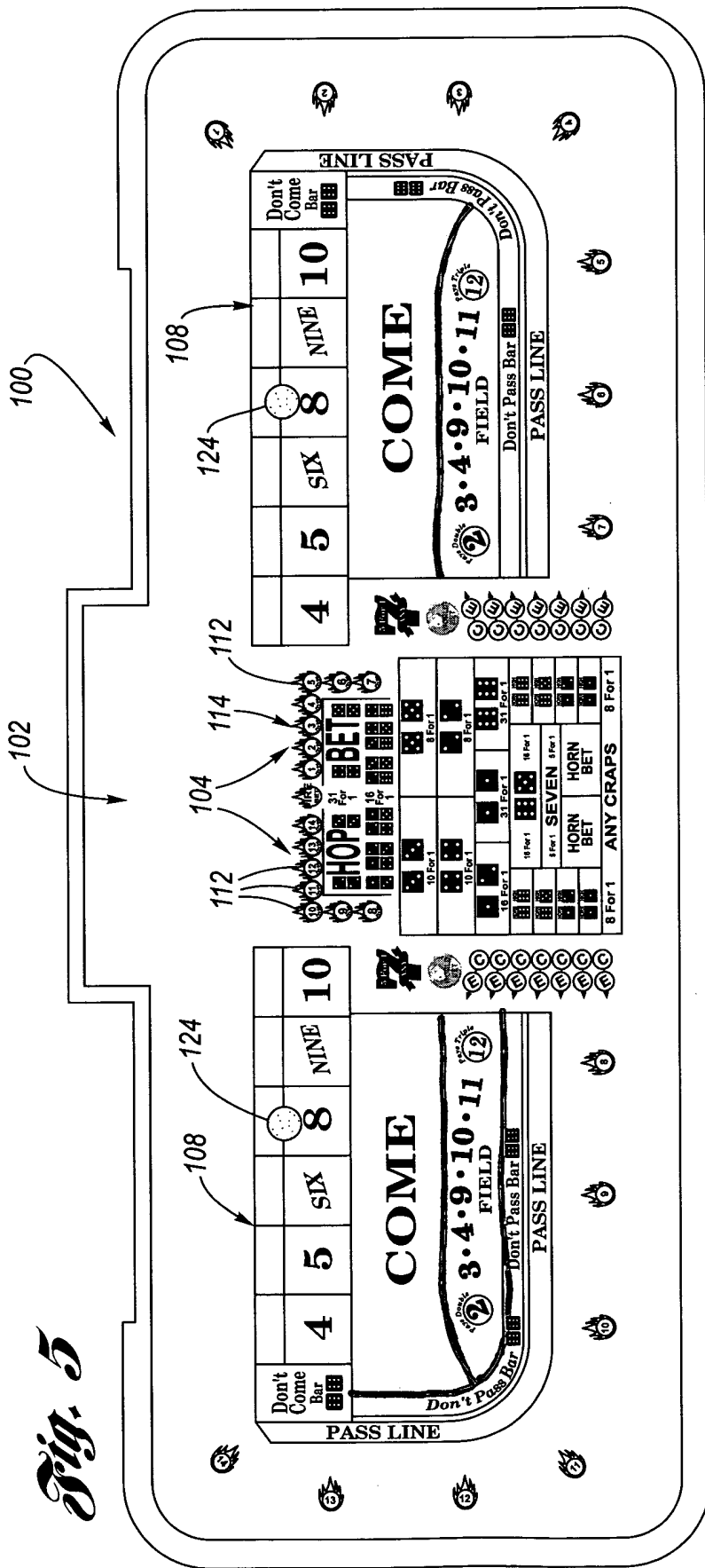


Fig. 6A Fig. 6B Fig. 6C Fig. 6D Fig. 6E Fig. 6F

Annotated Marked-up Drawings



